

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

XYZ TWO WAY RADIO SERVICE, INC.
and ELITE LIMOUSINE PLUS, INC.,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., WEITER,
LLC, HINTER, LLC, GRUN, LLC, UNTER,
LLC, SCHMECKEN, LLC, and DANACH-
NY, LLC,

Defendants.

Civil Action No.: 1:15-cv-03015-FB-CLP

ORAL ARGUMENT REQUESTED

DEFENDANTS' NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law, the supporting Declaration of Joshua A. Berman, Esq., and all prior pleadings and proceedings in this action, Defendants Uber Technologies, Inc., Weiter, LLC, Hinter, LLC, Grun, LLC, Unter, LLC, Schmecken, LLC, and Danach-NY, LLC move this Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for an Order dismissing with prejudice Plaintiffs' Complaint for failure to state a claim upon which relief may be granted.

Dated: October 9, 2015

TROUTMAN SANDERS, LLP




Joshua A. Berman
Katherine L. McDaniel

875 Third Avenue
New York, New York 10022
Telephone: (212) 704-6000
Facsimile: (212) 704-8370
Joshua.Berman@troutmansanders.com
Katherine.McDaniel@troutmansanders.com
Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Joshua A. Berman, hereby certify that on October 9, 2015 this document was electronically served on counsel for all parties.

A handwritten signature in blue ink, appearing to read "Joshua A. Berman", is written over a horizontal line.

Joshua A. Berman
NY State Bar Number 3990967
875 Third Avenue
New York, New York 10022
Telephone: (212) 704-6000
Facsimile: (212) 704-8370
joshua.berman@troutmansanders.com